IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 5 OF 2005
IN
SECOND APPEAL NO. 421 OF 2004

NitinHimanshu Sinha. ... Applicant.
Versus.
Prakash Gopal Markale & ors. ... Respondents.

Shri R.G.Ketkar for the Applicant.

CORAM : ABHAY S. OKA, J.

DATED : 28th January, 2005.

P.C.:

1. Sufficient cause for restoration is made out. Civil Application is allowed in terms of prayer clauses (a) and (b). Office is directed to issue fresh notice of the Appeal to the Respondent No.1 returnable on 7th March 2005. Hamdast allowed.

2. In addition to service through Court, the Advocate for the Applicant is directed to serve private notice. Service affidavit to be filed one week before the returnable date.

Judge.